



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF VETERINARY MEDICAL EXAMINERS
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

JAMES E. MCGREEVEY
Governor

PETER C. HARVEY
Acting Attorney General
RENI ERDOS
Director

May 6, 2003

Mailing Address:

P.O. Box 45020
Newark, NJ 07101

(973) 504-6500

By Certified and Regular Mail

Jerald F. Schreiber, D.V.M.
Farmingdale Veterinary Clinic
11 Walnut Street
Farmingdale, New Jersey 07727-1212

Re: I/M/O JERALD F. SCHREIBER, D.V.M.
Complaint Numbers: 02-113 and 03-003

Offer of Settlement In Lieu of Disciplinary Proceeding

Dear Dr. Schreiber:

This letter is to advise you that the New Jersey State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") has had an opportunity to review information it received concerning the physical examinations you performed on an eleven week old American Pit Bull Terrier, named "Bailey" Mazzochi, in September 2002, and a four month old Boxer, named "Rocky" Rangel, in or about November 2002. The examinations were performed pursuant to your professional relationship with Puppies-N-Puppies located in Toms River, New Jersey.

Specifically, the information reviewed by the Board included, but is not limited to, the following documents:

1. A complaint filed by Toni Mazzochi with the Board's administrative office on or about October 17, 2002, as well as any and all attachments and exhibits;

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2. A complaint filed by Rudolf Rangel with the Board's administrative office on or about January 15, 2003, as well as any and all attachments and exhibits;
3. A correspondence dated November 8, 2002, from Dr. Schreiber concerning "Bailey," as well as any and all attachments and exhibits; and
4. A correspondence dated January 29, 2003, from Dr. Schreiber concerning "Rocky," as well as any and all attachments and exhibits.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated as well as failed to comply with the Veterinary Practice Law, and the provisions of the regulations administered by the Board, in violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-4.4 in that you prepared and maintained inadequate and incomplete records for these animals. Specifically, N.J.A.C. 13:44-4.4 provides that veterinarians who service pet shops

. . . shall sign and print his or her name and New Jersey license number on each animal's health certificate or "Fit for Purchase" form, and on any other document which may be given to the consumer at the time of purchase that attests to findings made, care rendered or care prescribed for that animal by a licensed veterinarian. [N.J.A.C. 13:44-4.4(a)].

Specifically, the Board's review into this matter revealed that you provided physical examinations to these puppies pursuant to your relationship with Puppies-N-Puppies. The form you and the pet shop provided the owners of the puppies failed to comply with the mandates of N.J.A.C. 13:44-4.4(a) in that your printed name and veterinary license number were omitted from both forms. The Board preliminarily finds that your records therefore violated the mandates of N.J.A.C. 13:44-4.4.

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At this juncture, the Board has determined that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that determination, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. You are hereby formally reprimanded by the Board for failing to comply with the mandates of N.J.A.C. 13:44-4.4;
2. Cease and desist from violations of the regulations governing licensees who service pet shops, namely N.J.A.C. 13:44-4.4;
3. Pay a penalty in the amount of \$1,500.00, to be paid immediately upon your signing of the acknowledgment at the bottom of this letter, for your violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-4.4; and
4. Forward to the Board, within fifteen (15) days of the signing of the acknowledgment below, copies of the new health certificate or "Fit for Purchase" forms which will be given to consumers incorporating the missing information, namely, your printed name and New Jersey license number.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. In such event, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate disciplinary action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law.

Jerald Schreiber, DVM


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You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Olga E. Bradford, who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of the appropriate enforcement action.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By:

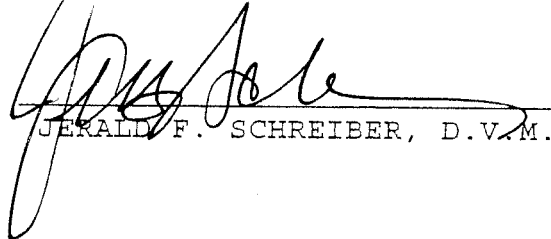


LESLIE G. ARONSON
Executive Director

Jerald Schreiber, DVM

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ACKNOWLEDGMENT: I, JERALD F. SCHREIBER, D.V.M., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$1,500.00, which is to be paid upon signing of this acknowledgment, for failing to comply with the requirements of N.J.A.C. 13:44-4.4.



JERALD F. SCHREIBER, D.V.M.

DATED:

cc: Deputy Attorney General Olga E. Bradford

CERTIFIED MAIL/C.R.R.R.
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